

00-R-1481

(Do Not Write Above This Line)

A RESOLUTION BY

CITY UTILITIES COMMITTEE

A RESOLUTION TO CORRECT RESOLUTION 00-R-0852 ADOPTED BY THE CITY COUNCIL ON JUNE 19, 2000, AND APPROVED BY THE MAYOR ON JUNE 27, 2000, TO AMEND AN INTERIM AGREEMENT WITH QWEST COMMUNICATIONS CORPORATION TO INCREASE THE NOT TO EXCEED LINEAR FEET FROM 5,500 TO 6,300 LINEAR FEET IN ARTICLE 2.1 OF THE AUTHORIZED RESOLUTION 00-R-0852; AND FOR OTHER PURPOSES.

ADOPTED BY
OCT 0 2 2000

COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee City Utilities
Date 9-26-00
Chair Clair Fuller
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members Dem M. Stars
Refer To _____

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

CERTIFIED
OCT 2 2000

Dem M. Stars
COUNCIL PRESIDENT PRO TEM

CERTIFIED
OCT 0 2 2000

Ruth Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
OCT 0 2 2000
[Signature]



**CITY COUNCIL
ATLANTA, GEORGIA**

00-R-1481

A RESOLUTION BY

CITY UTILITIES COMMITTEE

A RESOLUTION TO CORRECT RESOLUTION 00-R-0852 ADOPTED BY THE CITY COUNCIL ON JUNE 19, 2000, AND APPROVED BY THE MAYOR ON JUNE 27, 2000, TO AMEND AN INTERIM AGREEMENT WITH QWEST COMMUNICATIONS CORPORATION TO INCREASE THE NOT TO EXCEED LINEAR FEET FROM 5,500 TO 6,300 LINEAR FEET IN ARTICLE 2.1 OF THE AUTHORIZED RESOLUTION 00-R-0852; AND FOR OTHER PURPOSES.

WHEREAS, Qwest Communications Corporation has applied for a permit to use a limited and specifically identified portion of the public right-of-way which passes over, under, and through the City in order to install equipment to transport signals across the City without originating or terminating Telecommunications Services at, to, or from any person or location in the City; and

WHEREAS, the City intends to enact a comprehensive ordinance governing the use of the public right-of-way, pursuant to the Telecommunications Act of 1996 but wishes to provide access to its right-of-way on an interim and nondiscriminatory basis; and

WHEREAS, Qwest Communications Corporation has negotiated an interim agreement with the City which provides such access and preserves the rights of the City until such time as a comprehensive ordinance is enacted.

WHEREAS, Qwest Communications Corporation, due to a misunderstanding of right-of-way ownership, failed to include 785 linear feet of the public right-of-way in its request for additional linear feet as adopted by the City Council of Atlanta on June 19, 2000 and approved by the Mayor on June 27, 2000.

WHEREAS, Qwest Communications Corporation, after consultation with the City Department of Public Works, has requested that the lineal footage be corrected and include the 785 lineal feet of the public right-of-way that was mistakenly attributed to the Georgia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ATLANTA, GEORGIA, as follows:

SECTION 1: Resolution 00-R-0852 adopted by the City Council on June 19, 2000 and approved by the Mayor on June 27, 2000, shall be corrected to include an additional 785 linear feet of the public right-of-way.

SECTION 2: The interim agreement shall be amended as follows: Article 2.1, paragraph two, subsection (2) shall read, "Permittee's use of the Street shall not exceed 6300 linear feet, as set forth in Appendix A to this Agreement;"

A true copy,

Phonda Daughin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
APPROVED by the Mayor**

**OCT 02, 2000
OCT 10, 2000**

RESOLUTION BY

A RESOLUTION TO AMEND AN INTERIM AGREEMENT WITH QWEST COMMUNICATIONS CORPORATION TO USE A SPECIFIC PORTION OF THE PUBLIC RIGHT OF WAY FOR LIMITED TELECOMMUNICATIONS PURPOSES NOT INCLUDING TELECOMMUNICATIONS SERVICES, AS DEFINED IN THE TELECOMMUNICATIONS ACT OF 1996 (47 U.S.C. §153(46)), OR LOCAL EXCHANGE SERVICE AND FOR OTHER PURPOSES.

WHEREAS, Qwest Communications Corporation has applied for a permit to use a limited and specifically identified portion of the public right of way which passes over, under, and through the City in order to install equipment to transport signals across the City without originating or terminating Telecommunications Services at, to, or from any person or location in the City; and

WHEREAS, the City intends to enact a comprehensive ordinance governing the use of the right of way, pursuant to the Telecommunications Act of 1996 but wishes to provide access to its right of way on an interim and nondiscriminatory basis; and

WHEREAS, Qwest Communications Corporation has negotiated an interim agreement with the City which provides such access and preserves the rights of the City until such time as a comprehensive ordinance is enacted.

THE CITY COUNCIL OF ATLANTA, GEORGIA, HEREBY RESOLVES:

SECTION 1: The interim agreement shall be amended as follows: Article 2.1, paragraph two, subsection (2) shall read, "Permittee's use of the Street shall not exceed 5500 linear feet, as set forth in Appendix A to this Agreement;"

A true copy,
Deputy Clerk

ADOPTED by the City Council
APPROVED by the Mayor

JUNE 19, 2000
June 27, 2000

RCS# 2037
6/19/00
3:36 PM

Atlanta City Council

Regular Session

00-R-0852

AMEND INTERIM AGREEMENT WITH QWEST
COMMUNICATIONS CORPORATION
ADOPT

YEAS: 9
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

Y McCarty	Y Dorsey	NV Moore	Y Thomas
N Starnes	Y Woolard	NV Martin	Y Emmons
NV Bond	Y Morris	B Maddox	Y Alexander
B Winslow	Y Muller	Y Boazman	NV Pitts

00-R-0852

RCS# 2036
6/19/00
3:36 PM

Atlanta City Council

Regular Session

00-R-0852

AMEND INTERIM AGREEMENT WITH QWEST
COMMUNICATIONS CORPORATION
ADVERSE

YEAS: 6
NAYS: 4
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

*MOTION TO ADVERSE
FAILED*

Y McCarty	Y Dorsey	NV Moore	N Thomas
Y Starnes	Y Woolard	NV Martin	N Emmons
NV Bond	Y Morris	B Maddox	Y Alexander
B Winslow	N Muller	N Boazman	NV Pitts

00-R-0852

00-P-0852

DO NOT WRITE ABOVE THIS LINE

27

53

A RESOLUTION TO AMEND AN INTERIM AGREEMENT WITH QWEST COMMUNICATIONS CORPORATION TO USE A SPECIFIC PORTION OF THE PUBLIC RIGHT OF WAY FOR LIMITED TELECOMMUNICATIONS PURPOSES NOT INCLUDING TELECOMMUNICATIONS SERVICES AS DEFINED IN THE TELECOMMUNICATIONS ACT OF 1996 (47 U.S.C. §153(46)), OR LOCAL EXCHANGE SERVICE AND FOR OTHER PURPOSES.

6/12/00 - Motion to Rescind FAILED

ADOPTED BY
JUN 19 2000
COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred

6/5/00

Referred To:

City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

Committee
Date
Chair
Action:
Fav, Adv, Hold (see rev. side)
Other:

6/28/00

Chair
Action:
Fav, Adv, Hold (see rev. side)
Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings:

Consent EV Note WRC Vote

CERTIFIED

CERTIFIED
JUN 19 2000

ATLANTA CITY COUNCIL PRESIDENT

Anna A. Pata

CERTIFIED
JUN 19 2000

Ruth Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 27 2000

MAYOR

Handwritten signature of Mayor

RCS# 2255
10/02/00
1:44 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-17

RECONSIDER

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty	B Dorsey	Y Moore	Y Thomas	ITEM (S) REMOVED FROM <u>CONSENT AGENDA</u> 00-O-1390 00-O-1567 00-R-1480 00-R-1571 00-R-1574
Y Starnes	Y Woolard	B Martin	Y Emmons	
Y Bond	Y Morris	Y Maddox	Y Alexander	
Y Winslow	Y Muller	Y Boazman	NV Pitts	

CONSENT

COUNCIL PRESIDENT PROTEM DEBI STARNES PRESIDED.

RCS# 2286
10/02/00
4:58 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-17

RECONSIDERATION

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty	B Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	B Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA

00-O-1390
00-O-1567
00-R-1480
00-R-1571
00-R-1574

CONSENT

		10/02/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1393 2. 00-O-0758 3. 00-O-1341 4. 00-O-1453 5. 00-O-1326 6. 00-O-1327 7. 00-O-1328 8. 00-O-1329 9. 00-O-1301 10. 00-O-0263 11. 00-O-0979 12. 00-O-1311 13. 00-O-1418 14. 00-O-1566 15. 00-O-1417 16. 00-O-1114 17. 00-O-1561 18. 00-R-1486 19. 00-R-1490 20. 00-R-1524 21. 00-R-1525 22. 00-R-1572 23. 00-R-1483 24. 00-R-1484 25. 00-R-1552 26. 00-R-1310 27. 00-R-1466 28. 00-R-1467 29. 00-R-1469 30. 00-R-1563 31. 00-R-1549 32. 00-R-0977 33. 00-R-1297 34. 00-R-1495 35. 00-R-1461 36. 00-R-1464	37. 00-R-1470 38. 00-R-1471 39. 00-R-1472 40. 00-R-1476 41. 00-R-1477 42. 00-R-1481 43. 00-R-1497 44. 00-R-1498 45. 00-R-1499 46. 00-R-1500 47. 00-R-1501 48. 00-R-1502 49. 00-R-1503	50. 00-R-1504 51. 00-R-1505 52. 00-R-1506 53. 00-R-1507 54. 00-R-1508 55. 00-R-1509 56. 00-R-1510 57. 00-R-1511 58. 00-R-1512 59. 00-R-1513 60. 00-R-1514 61. 00-R-1515 62. 00-R-1516 63. 00-R-1517 64. 00-R-1518 65. 00-R-1519 66. 00-R-1520 67. 00-R-1521 68. 00-R-1522 69. 00-R-1523